

# NOTICE OF APPEAL AND PUBLIC HEARING

Form DS1700



The Department of Community Development has received an Appeal of a Land Use Decision, as described below. This Appeal is subject to public notice and public hearing pursuant to Clark County Code (CCC) Chapter 40.510.020(H)

The Clark County Hearings Examiner will conduct the public hearing on **December 2, 2004 at 7:00 P.M.**, at the Public Service Center, 1300 Franklin Street, Vancouver, Washington, to consider the following:

**Project Name:** **R JONES 11-ACRE DEVELOPMENT**

**Case Number:** **APL2004-00025**

**Location:** 4010 NE 65<sup>th</sup> Street. North side of NE Minnehaha Street, east of 40<sup>th</sup> Avenue.

**Appeal Issues:** Appealing the denial of the applicant's road modification request (EVR2004-00038) and site plan review application (PSR2004-00027) to construct a 74,550 square foot warehouse development on 11.28 acres in the Light Industrial (ML) zoning district.

**Appellant:** Miller Nash  
LeAnne M Bremer  
500 E Broadway Suite 400  
Vancouver WA 98660  
(360) 699-4117; (360) 694-6413 Fax

**Date of Notice:** October 22, 2004

**Hearing Examiner:** Daniel Kearns

**Neighborhood Contact:** Andresen/St Johns Neighborhood Assn  
Deborah Hoffman, President  
7318 NE 61st Ave  
Vancouver WA 98661

(360) 699-4043

### **Legal Description of Property:**

Tax Lot 8,37,59 (149114-000) located in the SE ¼ of Section 12, Township 2 North, Range 1 East of the Willamette Meridian.

### **Applicable Laws:**

Clark County Code (CCC) Sections: 40.230.080 (Industrial Districts), 40.320 (Landscaping & Screening), 40.340 (Parking & Loading), 40.350 (Transportation & Circulation), 40.360 (Solid Waste & Recycling), 40.370 (Sewer & Water), 40.380 (Stormwater & Erosion Control), 40.410 (CARA), 40.500.010 (Procedures), 40.510.020 (Type II Process), 40.520.010 (Legal Lot Determination), 40.520.040 (Site Plan Review), 50.550.010 (Road Modifications), 40.570 (SEPA), 40.610 & 40.620 (Impact Fees).

### **Public Information Available:**

The appeal document and case file, the Staff Report & Decision under appeal, the case file for the site plan review application, and the Clark County Code are available for review by the public during office hours at the Department of Community Development, 3<sup>rd</sup> Floor, 1300 Franklin Street, Vancouver WA. A Staff Report and Recommendation to the Hearing Examiner will be prepared by staff and available to the public two weeks prior to the public hearing.

### **Public Testimony Process:**

Any person wishing to present testimony should arrive by **7:00 p.m.** at the Public Service Center, 1300 Franklin Street, Vancouver, Washington.

### **Faxed & Written Testimony**

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: Rosie Hsiao. Written testimony can be mailed or hand delivered to the Customer Service Center, Department of Community Development, Development Services Division, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810. Faxed, mailed or delivered testimony must be received at the Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

### **Appeal Process:**

The Hearing Examiner normally issues a decision within two weeks from the close of the public hearing. In accordance with Clark County Code 40.510.030(H), appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA procedural appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the amount of **\$279**. Checks shall be made payable to the Board of County Commissioners.

**Accommodation of Physical Impairments:**

The Public Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact Rosie Hsiao at (360) 397-2375, Ext. 4335 or call the Telecommunications Device for the Deaf (TDD) line at (360) 737-6057.

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**